

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior listings of claims in this application.

Please cancel claims 1-17 without prejudice or disclaimer, amend claim 19, and add new claims 23-32, as follows:

1-17. (Canceled).

18. (Original) A device for performing endoluminal fundoplication of a patient's esophagus and stomach, comprising:

 a flexible tube having a distal end adapted for insertion in the stomach through the esophagus;

 a tissue grasping device disposed at the distal end of the flexible tube, adapted to grasp a selected portion of the esophagus;

 a tissue displacement device disposed adjacent the tissue grasping device, adapted to move a fundus portion of the stomach towards the esophagus; and

 an anvil portion, pivotable relative the tissue displacement portion, wherein the tissue displacement device and the anvil portion releasably carry complementary portions of a fastener, such that said complementary portions are joined when the fundus portion is moved towards the esophagus.

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19. (Currently Amended) The device according to claim 18, further comprising a barbed portion of the flexible tube adapted to move [[a]] the selected portion of the esophagus.
20. (Original) The device according to claim 18, wherein the tissue grasping device comprises a pair of jaws operable independently of the tissue displacement device.
21. (Original) The device according to claim 18, wherein the fastener comprises a barbed portion and a mating washer portion.
22. (Original) The device according to claim 18, wherein pivoting motion of the tissue displacement device and the anvil portion places the selected portion of the esophagus and the moved fundus portion of the stomach between the tissue placement device and the anvil portion.
23. (New) A device for performing endoluminal fundoplication of a patient's esophagus and stomach, comprising:
 - a grasper configured to grasp a selected portion of an esophageal wall;
 - a tissue displacement device configured to press a fundus wall of the stomach towards the esophageal wall, so as to form an intussusception; and

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a fastening device configured to insert a fastener through the intussusception after the intussusception is formed so as to maintain the esophageal wall and the fundus wall adjacent to one another.

24. (New) The device of claim 23, further comprising means for injecting one of an adhesive agent and a sclerosant agent between the fundus wall and the esophageal wall.

25. (New) The device of claim 23, wherein the device includes an overtube having at least one channel for accommodating at least one of an endoscope and the tissue displacement device.

26. (New) The device of claim 23, further comprising an endoscope.

27. (New) The device of claim 23, wherein the grasper is configured to pull the grasped portion of the esophageal wall into the stomach.

28. (New) The device of claim 23, the fastener delivery device includes a hypotube configured to extend across the intussusception.

29. (New) The device of claim 23, wherein the fastener includes a distal end and a proximal end, and at least one of the distal and proximal ends includes an inflatable member.

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30. (New) The device of claim 23, wherein the fastener includes a distal end and a proximal end, and at least one of the distal and proximal ends includes a deformable member.
31. (New) The device of claim 23, wherein the tissue displacement device comprises an anvil portion and a tissue displacing portion pivotally coupled to the anvil portion.
32. (New) The device of claim 23, wherein the fastener device is separate from the tissue displacement device.

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